

United States District Court
District of Massachusetts

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2006 SEP 21 P 2:18

Civil Action No. 05-10573-RWZ

U.S. DISTRICT COURT
DISTRICT OF MASS

Joseph P. Schmitt, pro se.

v.

Ma. Dept. of Correction, et al.

MOTION TO ENLARGE TIME

Plaintiff, Joseph P. Schmitt, hereby moves for enlargement of time in which to file a responsive pleading up to and including November 9, 2006

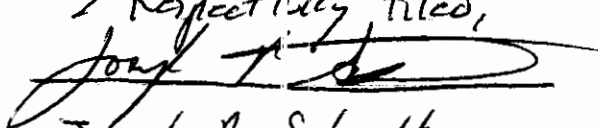
As grounds therefore, plaintiff states that he is limited to the period of time he can access the defendants law library. In this very limited period of time, so often reduced by defendants mismanagement of personnel, plaintiff must conduct research for this action along with many other state court civil actions, USDC civil actions, Appeals in the 1st circuit Court of Appeals and State Court of Appeals, which includes plaintiff's MGL c. 123A Trial Appeal in which he has received transcripts for very recently and this matter can not be delayed as it involves the life long incarceration of

plaintiff.

As further grounds plaintiff moves this court's attention to USDC Civil Action 05-10571-RWZ, plaintiff's 9/20/06 "Motion For Extension of Time To Respond." Plaintiff stands firmly on the grounds of this noted motion for the present motion to enlarge time.

Wherefore, plaintiff moves this court to grant the above motion so he may prepare an informed responsive pleading in compliance with the civil rules.

Dated: 9/20/2006

Respectfully filed,


Joseph P. Schmitt, pro se
 Norawkes Cor. Facility
 30 Administration Road
 Bridgewater, Ma 02324-3230

Certificate of Service

I, Joseph P. Schmitt hereby certify under pains and penalties of perjury that a copy of the above motion was mailed, utilizing the provisions of 103-CMR-481 Inmate Mail regarding indigent mail, to counsel of record for defendants via first class US Mail on 9/20/2006

